

September 5, 2012 Planning Commission minutes

The Eudora Planning Commission met in regular session on Wednesday evening, September 5, 2012 in the Eudora Municipal Building with all members present: Chairman Kurt von Achen, Vice Chairman Richard Campbell, Ken Adkinson, Glenn Bartlett, Jason Hoover, Grant Martin and Johnny Stewart.

Also present were City Administrator John Harrenstein, Codes Administrator Curt Baumann, Economic Development Analyst Collin Bielser, Public Works Director Mike Hutto, Consultant Scott Michie of Scott A. Michie Planning Services, Intern Barack Matite, and Reporter John Schulz.

Chairman von Achen called the meeting to order at 7:00 pm, the pledge of allegiance was recited and the minutes of the August 1, 2012 meeting were approved as circulated.

Administrator Harrenstein reported that the City Council recently heard presentations by Jerry Tenbrink of the DARE program, and from Ben Terwilliger of the Eudora Historical Society, and were introduced to the new Eudora Library Director who comes to Eudora from Andover. Harrenstein said the museum is currently working on an exhibit about the African American population of Eudora and on placing historical plaques on downtown buildings.

He said the council passed an ordinance requiring electric and plumbing contractors who work in the city to be licensed, and they adopted Ordinance 997 which allows adaptive reuse of existing non-residential structures in residential districts, other than retail-commercial or industrial land uses. This was adopted over the August 1 recommendation by the Planning Commission against passage.

Harrenstein also said the council decided against allowing fluoride in the city water system; they ordered demolition of the condemned residence at 1021 Spruce Street, and they applied for \$400,000 from Kansas Housing Reserves to enable "Tenants to Homeowners of Lawrence" to build as many as ten new houses for individuals with moderate incomes, providing an alternative housing option in Eudora.

Harrenstein said some long-standing easement problems along 20th Street were cleared up between the city and Mark and Janet Gabriel and Allan Ott when 20th Street was recently resurfaced. He also reported the city has received an "A" rating from Standard & Poor, which saved approximately \$80,000 on the bond issue for the Public Safety Building.

Harrenstein said the Planning Commission should see the Public Safety site plan at the October meeting, and he apologized for not getting it to them earlier.

Johnny Stewart asked Harrenstein if the city doesn't abide by its own regulations? He said he thought the Planning Commission was supposed to review all site plans.

Harrenstein said he did not have a good answer for him. Stewart asked "Who is in charge? Why can't you answer?" Harrenstein told Stewart he could discuss it with him outside of this meeting.

Stewart asked Codes Administrator Baumann about the new regulation requiring licensing of electricians and plumbers? Baumann said Eudora will not issue the licenses; but that they will have to

be licensed in a Kansas jurisdiction, a county or city. Baumann said he sees it as a life safety issue. Stewart questioned that there is one trade missing, the installation of furnaces and air conditioning.

Mike Westerhouse who is in that business, asked to comment. He said he thinks it would be a good idea to require licensing there too, for he often finds, when called to make repairs, that there have been serious errors in installations. Baumann said he will push to have all contractors licensed.

Chairman von Achen noted the building inspector's report in the September packet, and Baumann said he has issued one new permit for a single-family home, and a second application for a permit was received today.

There were no public comments and no public hearings on the agenda so the chairman called for the item listed under New Business: Consider an application by Mike Westerhouse for a site plan amendment of the approved J. R. Miller Homestead site under construction on 20th Street. He asked for comment.

Administrator Harrenstein responded, saying the Westerhouse original site plan called for a ribbon curb on the east, west and north sides of his location on 20th Street. A ribbon curb is not really a curb, Harrenstein explained, but a concrete outline to keep asphalt from crumbling on the edges of the parking lot. Westerhouse asked staff to waive the ribbon curb requirement on the north side of the lot to allow for drainage. Harrenstein said he forgot that this should have been brought before the Planning Commission since it was a site plan change.

Ken Adkinson remarked that Westerhouse's site plan was before the parking lot ordinance went in. He asked where the property drains? The asphalt, he said, looks like it is 6 to 8 inches above the ground on the north. Westerhouse said the final grading will take care of that. He said he was waiting to get approval from the commission before continuing.

Chairman von Achen stated that he is opposed to eliminating the north curb. "I don't like to change site plans after they have been approved," he said. While it may be appropriate this time, since the water will flow north, we can't start a precedent, he added.

Public Works Director Hutto concurred that they had made a decision to waive the curb on the north side of the lot. We asked him to provide six foot sidewalks as the city now requires, he added.

Richard Campbell asked if the city made a tradeoff, assuming it would be okay?

Harrenstein explained that he had told Hutto today that it was necessary to have the curb waived, and Hutto had said he thought it had already been waived. It was a mistake and not a tradeoff, Harrenstein said.

Campbell moved to approve the change in the site plan, eliminating the ribbon curb on the north side of the lot while retaining it on the east and west.

Jason Hoover said he is new to the commission so he asked if it is customary that staff goes out and works deals before we hear it here?

Harrenstein answered that sometimes site plan alterations have to be made in the field. This is an effort to bring you in on it this time, he said. I don't want you to think that we cut a deal. The city won't have to maintain the street. We wanted to work with Mike. We want our people to have a good taste after doing business with us.

Johnny Stewart remarked that he had just remodeled an old house and that you try to do the best you can. The city should be proactive and work with its citizens, he said.

Stewart then seconded the motion Campbell had made. The vote was 5-2 in favor, with Bartlett and von Achen voting "No".

Richard Campbell said, "Before we finish this, and just for the record," and he quoted from the Zoning Regulations "That all new developments in the commercial district shall provide a site plan." However Collin Bielser corrected Campbell, pointing out the Public Safety Building is to be built in a residential district.

Chairman von Achen then called for the one item of New Business on the agenda: Discuss adopting the "Eudora Parks and Recreation Master Plan 2012" as an appendix to the Eudora Comprehensive Plan and setting a public hearing for the required plan text amendment.

Michie said the City Council would like the Parks and Recreation Master Plan to be adopted as an appendix to the Eudora Comprehensive Plan, with the present plan to be tweaked a bit, including:

1. Addition of AASHTO (American Association of State Highway and Transportation Officials) standards for street improvements when accommodating multimodal traffic;
2. Clarification of certain park plan recommendations, such as designated routes for "Bicycle Lanes" and related designations; and
3. Prioritization of certain capital improvements, such as preference of the City (and the Eudora School District) for sidewalks to schools and other community centers.

Michie said the city needs to decide what is doable near term and long term, for example when can or will 12th Street be widened? He said the city has applied for a \$15,000 grant to be applied to "Safe Routes to School" and they hope to have a determination by next month. The Safe Routes to School proposal is to, in effect, map out the details of sidewalks, bike lanes, bike routes, multi-purpose paths and walks throughout the town, with priority for safe routes to school

After some discussion it was agreed that the commission will not take action tonight, and that Michie will bring more direction to the October meeting, and then a public hearing could be held in November.

Ken Adkinson remarked that the Planning Commission should know in advance where they want parks. Nobody has told us yet, he said. I do think you need pretty good input on this. It might be great.

Hoover said he was not on the commission at the time the Parks and Rec presentation was made. Campbell said everybody got a copy at the meeting and it can be studied to make sure it is what we want.

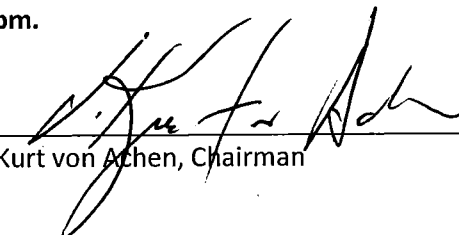
Harrenstein said the plan offers new enhancements; trails, paths, sidewalks and an addition to the Recreation Center. He said council representatives are meeting with the school board on September 13 to discuss whether space for a park can be negotiated on property the school owns along County Road 1061 south of town, since a park has long been needed in the newer developments there.

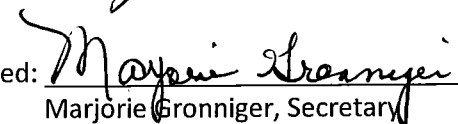
von Achen told the commission that on September 24 there will be a joint meeting with the Lawrence-Douglas County Planning Commission to consider a new application for a sand pit in our planning area, though it is barely within our three mile radius. Penny's Concrete Company has purchased 475 acres along 15th Street and over 30 years they plan to excavate 50 to 75 feet deep.

Harrenstein told the commission that he thinks many of the issues with the previous application, much closer to Eudora, will not impact this application. He said the city does have a Water Analyst checking to see if this new pit would affect our water wells. He said observation wells will be dug in our well field, but if they show no problem he does not think it will be necessary to oppose it as vigorously as before. He said these applications are only going to increase, since sand can no longer be taken directly from the river, and we may need to save our strength for the next application.

von Achen urged everyone to attend the joint meeting to "show the flag." He said the Lawrence-Douglas County Commission respected Eudora's presence last time.

Ken Adkinson moved to adjourn, Glenn Bartlett seconded the motion and the meeting adjourned at 7:56 pm.

Signed: 
Kurt von Achen, Chairman

Signed: 
Marjorie Gronniger, Secretary